

Repeat, PRVDISM, DebtEd, MEANSNO, APPEAL

**U.S. Bankruptcy Court**  
**Eastern District of New York (Central Islip)**  
**Bankruptcy Petition #: 8-18-72498-las**  
**Internal Use Only**

Assigned to: Judge Louis A. Scarcella  
 Chapter 7  
 Voluntary  
 No asset

Date filed: 04/13/2018  
 341 meeting: 06/06/2018  
 Deadline for objecting to discharge: 07/23/2018  
 Deadline for financial mgmt. course: 07/23/2018

**Debtor**

**Eileen Fogarty**  
 72 Grandview Drive  
 Shirley, NY 11967  
 SUFFOLK-NY  
 SSN / ITIN: 121-44-2660

represented by **Heath S Berger**




Berger, Fischhoff, Shumer,  
 Wexler & Goodman, LLP  
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**Trustee**







**R Kenneth Barnard**  
 3305 Jerusalem Avenue  
 Suite 215  
 Wantagh, NY 11793  
 516-809-9397  
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**U.S. Trustee**

**United States Trustee**  
 Long Island Federal Courthouse  
 560 Federal Plaza - Room 560  
 Central Islip, NY 11722-4437  
 (631) 715-7800

Filing Date	#	Docket Text
04/13/2018	 <a href="#">1</a> (46 pgs; 4 docs)	Chapter 7 Voluntary Petition for Individuals. Fee Amount \$335 Filed by Heath S Berger on behalf of Eileen Fogarty (Attachments: # <a href="#">1</a> 1073 # <a href="#">2</a> Acknowledgement # <a href="#">3</a> 2017) (Berger, Heath) (Entered: 04/13/2018)
04/13/2018	 <a href="#">2</a> (1 pg)	Employee Income Records / Copies of Pay Statements Filed by Heath S Berger on behalf of Eileen Fogarty (Berger, Heath) (Entered: 04/13/2018)
04/13/2018	 <a href="#">3</a> (1 pg)	Certificate of Credit Counseling for Debtor Filed by Heath S Berger on behalf of Eileen Fogarty (Berger, Heath) (Entered: 04/13/2018)
04/13/2018		Receipt of Voluntary Petition (Chapter 7)(8-18-72498) [misc,volp7a] ( 335.00) Filing Fee. Receipt number 16552192. Fee amount 335.00. (re: Doc# <a href="#">1</a> ) (U.S. Treasury) (Entered: 04/13/2018)

04/13/2018		Meeting of Creditors Chapter 7 No Asset & Appointment of Chapter 7 Trustee, R Kenneth Barnard, , 341(a) Meeting to be held on 05/23/2018 at 10:30 AM at Room 561, 560 Federal Plaza, CI, NY . Last day to oppose discharge or dischargeability is 07/23/2018 . Financial Management Certificate due by 07/23/2018 . (Entered: 04/13/2018)
04/16/2018		<a href="#">Prior Filing</a> Case Number(s): 99-83791-mlc dismissed (dhc) (Entered: 04/16/2018)
04/16/2018	 <a href="#">4</a> (6 pgs; 4 docs)	Request for Notice - Meeting of Creditors Chapter 7 No Asset (dhc) (Entered: 04/16/2018)
04/18/2018	 <a href="#">5</a> (3 pgs)	BNC Certificate of Mailing with Notice of Electronic Filing Notice Date 04/18/2018. (Admin.) (Entered: 04/19/2018)
04/18/2018	 <a href="#">6</a> (3 pgs)	BNC Certificate of Mailing - Meeting of Creditors Notice Date 04/18/2018. (Admin.) (Entered: 04/19/2018)
05/11/2018	 <a href="#">7</a> (43 pgs; 7 docs)	Motion for Violation of Automatic Stay , Motion For Sanctions for Violation of the Automatic Stay Filed by Heath S Berger on behalf of Eileen Fogarty. (Attachments: # <a href="#">1</a> Exhibit 1 # <a href="#">2</a> Exhibit 2 # <a href="#">3</a> Exhibit 3 # <a href="#">4</a> Exhibit 4 # <a href="#">5</a> Exhibit 5 # <a href="#">6</a> Exhibit 6) (Berger, Heath) (Entered: 05/11/2018)
05/11/2018	 <a href="#">8</a> (4 pgs; 2 docs)	Affirmation in Support of <i>Order Scheduling Hearing on Shortened Notice</i> Filed by Heath S Berger on behalf of Eileen Fogarty (RE: related document(s) <a href="#">7</a> Motion for Violation of Automatic Stay filed by Debtor Eileen Fogarty, Motion for Sanctions for Violation of the Automatic Stay) (Attachments: # <a href="#">1</a> Proposed Order) (Berger, Heath) (Entered: 05/11/2018)
05/11/2018	 <a href="#">9</a> (1 pg)	Order to Schedule Hearing on Shortened Notice (RE: related document(s) <a href="#">7</a> Motion for Violation of Automatic Stay filed by Debtor Eileen Fogarty, Motion for Sanctions for Violation of the Automatic Stay). Hearing scheduled for 5/15/2018 at 10:00 AM at Courtroom 970 (Judge Scarcella), CI, NY. Signed on 5/11/2018 (cam) (Entered: 05/11/2018)
05/14/2018	 <a href="#">10</a> (2 pgs)	Affidavit/Certificate of Service Filed by Heath S Berger on behalf of Eileen Fogarty (RE: related document(s) <a href="#">9</a> Order to Schedule Hearing (Generic)) (Berger, Heath) (Entered: 05/14/2018)
05/14/2018	 <a href="#">11</a> (1 pg)	Affidavit/Certificate of Service Filed by Heath S Berger on behalf of Eileen Fogarty (RE: related document(s) <a href="#">9</a> Order to Schedule Hearing (Generic)) (Berger, Heath) (Entered: 05/14/2018)
05/14/2018	 <a href="#">12</a> (71 pgs; 7 docs)	Response to <i>Debtor's Motion Seeking Sanctions and statement in support of cross-motion</i> Filed by Stuart L Kossar on behalf of BAYVIEW LOAN SERVICING, LLC (RE: related document(s) <a href="#">7</a> Motion for Violation of Automatic Stay filed by Debtor Eileen Fogarty, Motion for Sanctions for Violation of the Automatic Stay) (Attachments: # <a href="#">1</a> statement in opposition to debtor's motion and in support of cross-motion # <a href="#">2</a> Exhibit A # <a href="#">3</a> Exhibit B # <a href="#">4</a> Exhibit C # <a href="#">5</a> Exhibit D # <a href="#">6</a> Exhibit E) (Kossar, Stuart) (Entered: 05/14/2018)
05/15/2018		Hearing Held; Appearance by Stuart Kossar, Heath Berger(related document(s): <a href="#">7</a> Motion for Violation of Automatic Stay filed by Eileen Fogarty)Motion Denied: Oral Motion to Stay Pending Appeal. Denied; Submit Order (cmoffett)

		(Entered: 05/15/2018)
05/24/2018	 <a href="#">13</a>	Statement Adjourning 341(a) Meeting of Creditors on 6/6/2018 at 11:30 AM at Room 563, 560 Federal Plaza, CI, NY. (Barnard, R) (Entered: 05/24/2018)
05/29/2018	 <a href="#">13</a> (3 pgs)	Order Denying Motion For Violation of Automatic Stay (Related Doc # <a href="#">7</a> ), Denying Motion For Sanctions for Violation of the Automatic Stay under 11 USC 362(k). Order Denying Bayview Loan Servicing LLC's Motion for Sanctions under Federal Rule of Bankruptcy Procedure 9011(Related Doc <a href="#">12</a> ) Signed on 5/29/2018. (cam) (Entered: 05/29/2018)
06/04/2018	 <a href="#">14</a> (6 pgs; 2 docs)	Notice of Appeal to Court. . Fee Amount \$298 Filed by Heath S Berger on behalf of Eileen Fogarty (RE: related document(s) <a href="#">13</a> Order on Motion For Violation of Automatic Stay, Order on Motion for Sanctions for Violation of the Automatic Stay). Appellant Designation due by 06/18/2018. Transmission of Designation Due by 07/5/2018. (Attachments: # <a href="#">1</a> Affidavit of Service)(Berger, Heath) (Entered: 06/04/2018)
06/04/2018		Receipt of Notice of Appeal(8-18-72498-las) [appeal,ntcapl] ( 298.00) Filing Fee. Receipt number 16737192. Fee amount 298.00. (re: Doc# <a href="#">14</a> ) (U.S. Treasury) (Entered: 06/04/2018)
06/05/2018	 <a href="#">15</a> (13 pgs; 2 docs)	Enter incorrectly - Notice not Generated - Transmittal of Notice of Appeal to District Court (RE: related document(s) <a href="#">13</a> Order on Motion For Violation of Automatic Stay, Order on Motion for Sanctions for Violation of the Automatic Stay) (Attachments: # <a href="#">1</a> BK docket) (amp) Modified on 6/5/2018 (amp). (Entered: 06/05/2018)
06/05/2018	 <a href="#">16</a> (2 pgs)	Incorrect attachment - attorney Civil Cover Sheet Filed by Heath S Berger on behalf of Eileen Fogarty (RE: related document(s) <a href="#">14</a> Notice of Appeal filed by Debtor Eileen Fogarty). (Berger, Heath) Modified on 6/5/2018 (amp). (Entered: 06/05/2018)
06/05/2018	 <a href="#">17</a> (2 pgs)	Civil Cover Sheet Filed by Heath S Berger on behalf of Eileen Fogarty (RE: related document(s) <a href="#">14</a> Notice of Appeal filed by Debtor Eileen Fogarty). (Berger, Heath) (Entered: 06/05/2018)